

N 09/506,347

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NAKATA et al. Examiner: Kimlien T. Le
Serial No.: 09/506,347 Group Art Unit: 2653
Filed: February 17, 2000 Docket No.: 10873.0498US01
Title: Optical Head And Method Of Manufacturing The Same

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV321727260US
Date of Deposit: October 7, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Teresa Anderson
Name: Teresa Anderson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(d))

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

OCT 14 2003

Technology Center 2600

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Applicants wish to call the Examiner's attention to co-pending U.S. Patent Application Serial No. 09/491,100, filed January 25, 2000 and Serial No. 10/428,564, filed May 2, 2003.

This statement should be considered because it is submitted after the mailing date of a final action under 37 C.F.R. § 1.113 or after the mailing date of the Notice of Allowance under 37 C.F.R. § 1.311 or after any other action that closes prosecution on the application, but before the payment of the issue fee. Enclosed is a check in the amount of \$180.00 for the fee set forth in 37 C.F.R. § 1.17(p). This statement is submitted as certified below under 37 C.F.R. §1.97(e)(1) or (2) by the undersigned.

10/10/2003 DTESSEM1 00000057 09506347

01 FC:1806

180.00 DP Certification Under 37 C.F.R. §1.97(e)(1)

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application, for co-pending U.S. Patent

Application Serial No. 09/491,100, filed January 25, 2000 and Serial No. 10/428,564, filed May 2, 2003, within three months of filing this statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

Enclosed is a copy of the Japanese Office Action for co-pending US Patent Application Serial No. 09/491,100, filed January 25, 2000 and US Patent Application Serial No. 10/428,564, filed May 2, 2003, citing the references.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.


Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300



Dated: October 7, 2003

By 
Douglas P. Mueller
Reg. No. 30,300

DPM:mmm